

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
COREY WILLIAMS,

Plaintiff,

-against-

THE CITY OF NEW YORK, DET. MICHAEL
DIMEGLIO, UNDERCOVER # 3159, UNDERCOVER #
7975, LT. "JOHN" KELLY, SGT. "JOHN" DEGIORGIO,
and P.O.s "JOHN" and "JANE DOE" #1-10,

Defendants.
----- X

**PLAINTIFF'S RESPONSE
TO DEFENDANTS'
LOCAL RULE 56.1
STATEMENT**

07 CV 5362 (NG) (VVP)

Pursuant to Local Rule 56.1(c) of the Local Civil Rules of the United States District Court for the Southern and Eastern Districts of New York, plaintiff Corey Williams hereby sets forth his response to defendants' Local Rule 56.1 Statement:

1. **Admit.**
2. **Admit.**
3. **Admit.**
4. **Admit.**
5. **Admit.**
6. **Admit.**
7. **Admit** that plaintiff served a Notice of Claim, not "a document purporting to be a Notice of Claim." (Def. Ex. G.)
8. **Admit.**
9. **Admit** that that is one way in which a long-term buy operation may be conducted.

10. **Admit** that that is one way in which a long-term buy operation may be conducted.
11. **Admit** that that is one way in which a long-term buy operation may be conducted.
12. **Admit** that that is one way in which a long-term buy operation may be conducted.
13. **Admit.**
14. **Admit** that that was one role that UC # 7975 played.
15. **Admit.**
16. **Admit.**
17. **Admit** that that is what U/C # 3159 claims to have happened.
18. **Admit.**
19. **Admit** that that is what U/C # 3159 claims to have happened.
20. **Admit** that crack cocaine was vouchered and sealed in an envelope.
21. **Admit** that that is what U/C # 3159 claims to have happened.
22. **Admit** that U/C # 3159 referred to an individual as "JD-Corey."
23. **Admit** that that is what U/C # 3159 claims to have happened.
24. **Admit** that that is what U/C # 3159 claims to have happened.
25. **Admit** that at some unknown point in time, plaintiff had a prepaid cell phone with that number. (Pl. Dep. at 27-30.)
26. **Admit** that that is what U/C # 3159 claims to have happened.
27. **Admit** that that is what U/C # 3159 claims to have happened.
28. **Admit** that that is what U/C # 3159 claims to have happened.
29. **Admit** that that is what U/C # 3159 claims to have happened.
30. **Admit** that crack cocaine was vouchered and sealed in an envelope.

31. **Admit** that that is what U/C # 3159 claims to have happened.
32. **Admit** that that is what U/C # 3159 claims to have happened.
33. **Admit** that that is what U/C # 3159 claims to have happened.
34. **Admit** that that is what U/C # 3159 claims to have happened.
35. **Admit** that crack cocaine was vouchered and sealed in an envelope.
36. **Admit** that that is what U/C # 3159 claims to have happened.
37. **Admit** that that is what U/C # 3159 claims to have happened.
38. **Admit** that that is what U/C # 3159 claims to have happened.
39. **Admit** that that is what U/C # 3159 claims to have happened.
40. **Admit** that crack cocaine was vouchered and sealed in an envelope.
41. **Admit** that that is what U/C # 3159 claims to have happened.
42. **Admit** that that is what U/C # 3159 claims to have happened.
43. **Admit** that that is what U/C # 3159 claims to have happened.
44. **Admit** that that is what U/C # 3159 claims to have happened.
45. **Admit** that plaintiff stated (not “admitted”) that his brother’s name is Tavares Charlie.
46. **Admit** that that is what U/C # 3159 claims to have happened.
47. **Admit** that crack cocaine was vouchered and sealed in an envelope.
48. **Admit**, while noting that plaintiff does know that he did not sell drugs on those dates, given that he has never sold drugs. (Pl. Dep. at 67.)
49. **Admit.**
50. **Admit.**
51. **Admit** that U/C # 3159 falsely claimed that the individual with whom he claimed to have had drug transactions was plaintiff.

52. **Admit** that the District Attorney's Office sought an indictment based upon defendants' false statements.

53. **Admit** that a Grand Jury returned an indictment based upon defendants' false statements.

54. **Admit.**

55. **Admit.**

56. **Admit.**

57. **Admit.**

58. **Admit.**

59. **Admit.**

60. **Admit** that plaintiff stated (not "admitted") that the officers claimed to have a warrant for his arrest.

61. **Admit.**

62. **Admit** that U/C # 3159 falsely identified plaintiff as the individual with whom he claimed to have had drug transactions.

63. **Admit.**

64. **Deny** that plaintiff stated (not "claimed") that he was placed back in the van just as another car drove up. Plaintiff was taken out of the van as another car drove up. (Pl. Dep. at 48.)

65. **Admit.**

66. **Admit.**

67. **Admit.**

68. **Admit.**

69. **Admit.**

70. **Deny.** Det. DiMeglio testified at a pre-trial hearing. (DiMeglio Dep. at 85.) He was not

permitted to answer questions at his deposition as to whether he testified in the Grand Jury. (*Id.* at 84.)

71. **Admit.**

72. **Deny.** Sgt. DeGiorgio stated that he did not believe that he had gone to court on this case. (DeGiorgio Dep. at 92.)

73. **Admit.**

74. **Deny.** The page cited does not support this alleged fact.

75. **Admit.**

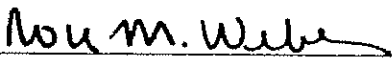
76. **Admit.**

**ADDITIONAL MATERIAL FACTS AS TO WHICH
THERE EXIST GENUINE ISSUES TO BE TRIED**

1. Plaintiff has never sold drugs to anyone. (Pl. Dep. at 67.)
2. Specifically, plaintiff did not sell drugs to anyone in November 2006, December 2006, or January 2007. (*Id.* at 66-67.)
3. Plaintiff has never assisted anyone in selling drugs. (*Id.* at 67.)
4. Specifically, plaintiff did not assist anyone in selling drugs in November 2006, December 2006, or January 2007. (*Id.* at 66-67.)

Dated: New York, New York
March 26, 2010

Respectfully submitted,


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